

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FRANZISKA I. COLLIER, *et al.*,
Plaintiffs,
v.
PARADISE HILLS CONVALESCENT
CENTER, *et al.*,
Defendants.

Civil No. 08cv969-L(POR)

**ORDER DENYING MOTION TO
RECONSIDER**

On July 15, 2008, Defendants Celestine Arambulo, D.O., Kaiser Foundation Hospitals, Southern California Permanente Medical Group and Kaiser Foundation Health Plan, Inc. ("Moving Defendants") filed an *ex parte* application for reconsideration ("Application"). Moving Defendants request the court to reconsider its order filed June 30, 2008 remanding the action to state court for failure to join Defendant Paradise Hills Convalescent Center ("Paradise") in the notice of removal, as required by 28 U.S.C. § 1446(a) or properly explain the absence of its joinder in the notice of removal, as required by *Prize Frize, Inc. v. Matrix (U.S.), Inc.*, 167 F.3d 1261 (9th Cir. 1999), overruled on other grounds in *Abrego Abrego v. The Dow Chem. Co.*, 443 F.3d 676 (9th Cir. 2006). The Application is **DENIED** because the removal

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1 statute precludes reconsideration of remand orders as much as it precludes their appellate review.
2 28 U.S.C. § 1447(d); *Seedman v. U.S. Dist. Ct.*, 837 F.2d 413, 414 (9th Cir. 1988).

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4 **IT IS SO ORDERED.**

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6 DATED: July 17, 2008

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8 
M. James Lorenz
United States District Court Judge

9 COPY TO:

10 HON. LOUISA S. PORTER
UNITED STATES MAGISTRATE JUDGE

11 ALL PARTIES/COUNSEL
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